

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

CHRISTOPHER DAMONE DAVIS **CIVIL ACTION NO. 14-2315**

VERSUS **JUDGE ROBERT G. JAMES**

STATE OF LOUISIANA **MAGISTRATE JUDGE KAREN L. HAYES**

RULING

On July 15, 2014, Petitioner Christopher Damone Davis (“Davis”), acting *pro se*, filed this Petition for Writ of Mandamus. On September 22, 2014, Magistrate Judge Karen L. Hayes issued a report [Doc. No. 7] recommending that Davis’ petition be dismissed with prejudice for failing to state a claim upon which relief may be granted. A copy of this Report and Recommendation was forwarded to Davis at the Ouachita Parish Correctional Center, his last known place of confinement. The Report and Recommendation was returned to the Clerk of Court on September 29, 2014, marked “not here.”

Local Rule 41.3, in pertinent part, provides:

The failure of an attorney or *pro se* litigant to promptly notify the court in writing of an address change may be considered cause for dismissal for failure to prosecute when a notice is returned to the court for the reason of an incorrect address and no correction is made to the address for a period of 30 days.

In the present case, the Magistrate Judge’s Report and Recommendation was returned to the Clerk of Court as undeliverable on September 29, 2014. Davis failed to advise the Court of his new address by October 29, 2014. The thirty-day period within which Davis was required to notify the Court of his new address has expired.

Accordingly, for the foregoing reasons, the Court will dismiss Davis' Petition without prejudice for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Local Rule 41.3.

MONROE, LOUISIANA, this 20th day of November, 2014.



ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE